

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Jayde Steele, :
----- :

Plaintiff(s), :
----- :

-v- :
----- :

Fitzpatrick Hotel Group, Inc. (USA) and Scott Casey, :
----- :

Defendant(s). :
----- X

KATHERINE B. FORREST, District Judge:

USDC SDNY
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15 Civ. 1972 (KBF)

SCHEDULING ORDER

The parties propose the following schedule for this matter:

1. All parties [**do** ☐ / **do not** ☒] consent to conducting all further proceedings before a United States Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences.¹
2. Close of fact discovery: **Nov. 30** ~~September 11, 2015~~. [within 4 months unless the case is particularly complex]
3. Close of expert discovery: **Dec. 30** ~~October 3, 2015~~. [25 days after the close of fact discovery; the parties are to negotiate interim dates regarding expert witnesses]

The parties contemplate experts in this matter for the following subject(s): Plaintiff's emotional distress claim.

4. [For F.L.S.A. actions only] Plaintiff(s) [**do** ☐ / **do not** ☐] anticipate making a motion for conditional certification of a collective action under 29 U.S.C. § 216(b). Plaintiff(s) shall include a proposed notice with the opening brief.

Proposed briefing schedule:

Opening: _____ [30 days after initial conference]
Opp'n: _____ [21 days after opening brief]
Reply: _____ [7 days after opposition brief]

¹ If all parties so consent, they should execute a consent form (available at <http://www.nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge>) and submit it to the Court via e-mail, along with this proposed order.

5. The parties [do ☒ / do not ☐] anticipate making dispositive motions. The contemplated dispositive motion(s) is/are a motion(s) Rule 56 Motion for Summary Judgment.

Proposed briefing schedule:

Opening: October 9, 2015 [no later than item 3] 12/30/15
Opp'n: October 22, 2015 [21 days after opening brief] 1/25/16
Reply: November 6, 2015 [7 days after opposition brief] 2/8/16
Last dates to file; motions may be brought at any time.

6. Trial [will ☒ / will not ☐] be before a jury.

DO NOT FILL IN BELOW. THE COURT WILL SET ITEMS 7-10.

7. The next status conference is set for 9/28 at 1 pm (telephonic)
8. Pretrial materials, including the Joint Pretrial Order ("JPTO"), are due: 2/19/16.

9. The Final Pretrial Conference ("FPTC") is set for 2/25/16 at 1 pm.

Motions in limine are due two weeks before FPTC; oppositions are due one week later. Daubert motions are due four weeks before FPTC; oppositions are due two weeks later. (No replies.)²

10. Trial in this matter shall commence on 2/29/16. Trial is anticipated to take _____ [days / weeks].

Settlement discussions must occur in parallel to this schedule (schedule will not be adjourned, except in very unusual situations, for settlement discussions).

SO ORDERED.

Dated: New York, New York
5/8, 2015

K B. Forrest
KATHERINE B. FORREST
United States District Judge

² Deadlines for motions in limine and Daubert motions are generalized and subject to change. The parties may request modified schedule if desired.